

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHELLE LYNN MCGUIRK,

Plaintiff,

v.

SWISS RE FINANCIAL SERVICES CORP.,  
SWISS REINSURANCE AMERICA CORP.,  
SWISS RE FINANCIAL PRODUCTS  
CORP., WALTER B. KIELHOLZ, DAVID  
J. BLUMER, CHRISTIAN  
MUMENTHALER, CHARLOTTE  
GUBLER, KANWARDEEP AHLUWALIA,  
DAVID GODFREY, ERIKA OZER,

Defendants.

MEMO ENDORSED

USDC SDNY
Civil Action No. 14-cv-09516 (CM)
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
<b>SECOND MOTION FOR AN</b>
<b>ADJOURNMENT OF THE</b>
<b>INITIAL PRETRIAL CONFERENCE</b>
DATE FILED: 1/29/15

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Pursuant to Rule I.E. of the Individual Practices and Procedures of Judge Colleen

McMahon, Defendants Swiss Re Financial Services Corp., Swiss Reinsurance America Corp.,  
Swiss Re Financial Products Corp., and Erika Ozer (collectively the "Defendants") respectfully  
request an adjournment of the Initial Pretrial Conference currently scheduled for January 30,  
2015 (the "Conference"). In support of this motion, Defendants state:

1. Defendants' filed a Motion to Dismiss on Thursday, January 22, 2015.
2. Defendants respectfully maintain that scheduling discovery deadlines and the like  
is premature until its Motion to Dismiss has been fully briefed and ruled on.
3. Defendants thus respectfully request that the Conference be adjourned until after  
the Court has ruled on its Motion to Dismiss.
4. This is Defendants' second request for an adjournment.
5. On January 28, 2015, Defendants' counsel contacted Plaintiff via email and  
telephone to obtain her consent to an adjournment. To date, Plaintiff has not responded.

6. Defendants' counsel has previously communicated with Plaintiff via email and telephone in regards to a case filed in the New York Division of Human Rights against Swiss Re Financial Services Corp. Plaintiff has previously responded in a prompt manner to Defendants' counsel's emails.

7. This motion is made in good faith and not for the purpose of causing undue delay. There are no hearings nor other deadlines that will be affected by this motion.

WHEREFORE, Defendants respectfully request that the Court issue an order adjourning the Conference from January 23, 2015 until after the Court has ruled on its Motion to Dismiss.

Dated: New York, New York  
January 28, 2015

Respectfully submitted,

By: /s/ Christopher H. Lowe

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Services Corp., Swiss Reinsurance America  
Corp., Swiss Re Financial Products Corp.,  
and Erika Ozer*